6-21-05

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Express Mail Label No.: EV561775241US Attorney Docket No.:283-205.03CON

On June 20, 2005

WALL MARJAMA & BILINSKI LLP

By: Destroine (

C. Schirripa

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

James A. Parker, et al.

Application No.: 09/746,192

Filed: December 21, 2000

For: Reprogrammable Optical Reader

Examiner: Thien Minh Le

Art Unit: 2876

INFORMATION DISCLOSURE

STATEMENT UNDER 37 CFR §1.97 and

§1.98

Mail Stop: Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on attached forms PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of references LW-LX are enclosed. Copies of references IM-IX, LN-LT and the attachments of references AC, AI and AJ are provided in parent application 09/385,597 filed August 30, 1999, which forms part of the record of the present application. See 37 CFR §1.98(d);MPEP §609 The present Information Disclosure Statement is being filed to make additional information of record in the present application including references and other information of record in various applications that are family-related to the present application.

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Application No.: 09/746,192

Page 2

Attorney Docket No.: 283-205.03CON

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among

the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(h), no inference should be made that the information

and references cited are material to patentability. Also, no inference should be made that a

reference is prior art merely because it is included in this statement. Under 37 CFR §1.97(g), the

submission of an Information Disclosure Statement should not be considered as representation

that a search has been made.

Reference LU is a report summarizing references cited by the applicants or the Examiner

in applications of which priority is claimed. Examiners have a duty to consider art references of

parent patent applications. See 37 CFR §1.98(d); MPEP §609. The Examiner is respectfully

requested to initialize the box adjacent to the LU reference listing to indicate that the Examiner

has considered the references of record in the applications of which priority is claimed under 35

USC §120. Applicants also submit reference LV, a report categorizing certain submitted

references into various categories. The report attached as reference LV is intended to assist the

Examiner in the Examiner's review of the considerable number of references submitted.

Applicants will also supply, at the Examiner's request, a computer accessible file that facilitates

computer text searching of U.S. patent references that have been submitted.

Applicants believe that a fee is required for submission of this statement. A check in the

amount of \$180.00 is enclosed.

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Application No.: 09/746,192

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The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

Date: June 20, 2005

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STATEMENT BY APPLICANT Express Mail No.: EV561775241US

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| Complete if Known      |                         |   |  |
|------------------------|-------------------------|---|--|
| Application Number     | 09/746,192              | _ |  |
| Filing Date            | December 21, 2000       |   |  |
| First Named Inventor   | James A. Parker, et al. |   |  |
| Art Unit               | 2876                    |   |  |
| Examiner Name          | Thien Minh Le           |   |  |
| Attorney Docket Number | 283-205.03CON           |   |  |

|          | -                        |  | U.S. PATENT DO                 | CUMENTS  | ·   |
|----------|--------------------------|--|--------------------------------|--|---|
| CURRE    |                          | Document Number  |                                | Town In the second seco |   |
| Examiner | Cite<br>No. <sup>1</sup> | Number Kind Code <sup>2</sup> ( <i>if known</i> )  | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document   | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|          | AA                       | US-Patent Application No.<br>11/073,531. Filed March 7,<br>2005.   | 03-07-2005                     | Longacre et al.  |   |
|          | AB                       | US-Patent Application No.<br>10/227,889. Filed August 26,<br>2002.   | 03-06-2003                     | Longacre et al.  |   |
|          | AC                       | US-Patent Application No.<br>10/328,939. Filed December<br>23, 2002. (Attached is Office<br>Action dated Feruary 9, 2005.) | 08-07-2003                     | Longacre et al.  |   |
|          | AD                       | US-Patent Application No.<br>10/778,466. Filed February<br>13, 2004.   | Filed 02-13-2004               | Longacre et al.  |   |
|          | AE                       | US-Patent Application No.<br>10/786,808. Filed February<br>25, 2004.   | Filed 02-25-2004               | Longacre et al.  |   |
|          | AF                       | US-Patent Application No.<br>10/786,984. Filed February<br>25, 2004.   | Filed 02-25-2004               | Longacre et al.  |   |
|          | AG                       | US-Patent Application No.<br>10/793,423. Filed March 4,<br>2004.   | Filed 03-04-2004               | Longacre et al.  |   |
|          | АН                       | US-Patent Application No.<br>10/800,136. Filed March 12,<br>2004.  | Filed 03-12-2004               | Longacre et al.  |   |
| •        | AI                       | US-Patent Application No.<br>10/801,937. Filed March 16,<br>2004. (Attached is Office<br>Action dated April 15, 2005)      | Filed 03-16-2004               | Longacre et al.  |   |
| -        | AJ                       | US-Patent Application No.<br>10/802,539. Filed March 16,<br>2004. (Attached is Office<br>Action dated April 21, 2005)      | Filed 03-16-2004               | Longacre et al.  |   |
|          | AK                       | US-Patent Application No.<br>10/887,207. Filed July 8,<br>2004.  | Filed 07-08-2004               | Longacre   |   |
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Examiner Date Signature Considered

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| Filing Date            | December 21, 2000       |  |
| First Named Inventor   | James A. Parker, et al. |  |
| Art Unit               | 2876                    |  |
| Examiner Name          | Thien Minh Le           |  |
| Attorney Docket Number | 283-205.03CON           |  |

|          |              |  | U.S. PATENT D                  | OCUMENTS   |   |
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| Examiner | Cite<br>No.1 | Number Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
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|          | AU           | US-5,473,148                             | 12-05-1995                     | Tanaka et al.                                      |   |
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|          | AW           | US-5,488,223                             | 01-30-1996                     | Austin et al.                                      |   |
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|          | ВА           | US-5,600,119                             | 02-04-1997                     | Dvorkis et al.                                     |   |
|          | BB           | US-5,621,203                             | 04-15-1997                     | Swartz et al.                                      |   |
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|          | BF           | US-5,726,435                             | 03-10-1998                     | Hara et al.  |   |
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|          | ВІ           | US-5,979,757                             | 11-09-1999                     | Tracy et al.                                       |   |
|          | BJ           | US-6,015,088                             | 01-18-2000                     | Parker et al.                                      |   |
|          | вк           | US-6,064,763                             | 05-16-2000                     | Maltsev, Pavel A.                                  |   |
|          | BL           | US-6,070,800                             | 06-06-2000                     | Fujita et al.                                      |   |
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|          | BQ           | US-6,176,428                             | 01-23-2001                     | Joseph et al.                                      |   |
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|          | BY           | US-6,565,003                             | 05-20-2003                     | Ma, Yue  |   |
|          | BZ           | US-6,565,005                             | 05-20-2003                     | Wilz et al.  |   |
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| Examiner Signature Date Considered |  | dered |
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| INIEC  | DMATION | DIE                  | CLOSURE                 | Application Number     | 09/746,192        |  |
|  |         |                      |                         | Filing Date            | December 21, 2000 |  |
| Express Mail No.: EV561775241US  (use as many sheets as necessary) |         | First Named Inventor | James A. Parker, et al. |                        |                   |  |
|  |         | Art Unit             | 2876                    |                        |                   |  |
|  |         | Examiner Name        | Thien Minh Le           |                        |                   |  |
| Sheet  | 3       | of                   | 3                       | Attorney Docket Number | 283-205.03CON     |  |

|          | U.S. PATENT DOCUMENTS |   |                                |  |   |  |
|----------|-----------------------|---|--------------------------------|--|---|--|
| Examiner | Cite<br>No.¹          | Document Number  Number Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |  |
|          | _ CD                  | US-6,708,883  | 03-23-2004                     | Krichever, Mark                                    |   |  |
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|          | СН                    | US-6,766,954  | 07-27-2004                     | Barkan et al.                                      |   |  |
|          | CI                    | US-6,827,273  | 12-07-2004                     | Wilz et al.  |   |  |
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|          | СК                    | US-2003/0085282   | 05-08-2003                     | Parker et al.                                      |   |  |
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|          | СМ                    | US-2003/0218067   | 11-27-2003                     | Parker et al.                                      |   |  |
|          | CN                    | US-2004/0004128   | 01-08-2004                     | Pettinelli et al.                                  |   |  |
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|          | СР                    | US-2004/0262393   | 12-30-2004                     | Hara, Masahiro et al.                              |   |  |
|          | CQ                    | US-2004/0262395   | 12-30-2004                     | Longacre, Andrew Jr.                               |   |  |
|          | CR                    | US-2004/0262396   | 12-30-2004                     | Longacre, Andrew Jr.                               |   |  |
|          | cs                    | US-2004/0262399   | 12-30-2004                     | Longacre, Andrew Jr.                               |   |  |
|          | ст                    | US-2005/0011956   | 01-20-2005                     | Carlson, Bradley S.                                |   |  |
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| Examiner<br>Signature | Date<br>Considered |  |
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Sheet 1 of 5

| Complete if Known      |                         |  |  |
|------------------------|-------------------------|--|--|
| Application Number     | 09/746,192              |  |  |
| Filing Date            | December 21, 2000       |  |  |
| First Named Inventor   | James A. Parker, et al. |  |  |
| Art Unit               | 2876                    |  |  |
| Examiner Name          | Thien Minh Le           |  |  |
| Attorney Docket Number | 283-205.03CON           |  |  |

|          |                          |  | U.S. PATENT DO                 | DCUMENTS   |   |
|----------|--------------------------|--|--------------------------------|--|---|
|          |                          | Document Number                          |                                |  |   |
| Examiner | Cite<br>No. <sup>1</sup> | Number Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|          | CU                       | US-3,582,884                             | 06-08-1971                     | Shepard  |   |
|          | _ cv                     | US-3,663,762                             | 05-16-1972                     | Joel, Jr.  |   |
|          | cw                       | US-3,684,868                             | 08-15-1972                     | Christie et al.                                    |   |
|          | CX                       | US-3,723,970                             | 03-27-1993                     | Stoller  |   |
|          | CY                       | US-3,906,166                             | 09-16-1975                     | Cooper et al.                                      |   |
|          | CZ                       | US-4,004,237                             | 01-18-1977                     | Kratzer  |   |
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|          | DB                       | US-4,097,847                             | 06-27-1978                     | Forsen et al.                                      |   |
|          | DC                       | US-4,114,155                             | 09-12-1978                     | Raab   |   |
|          | DD                       | US-4,164,628                             | 08-14-1979                     | Ward et al.  |   |
|          | DE                       | US-4,210,802                             | 07-01-1980                     | Sakai  |   |
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|          | DG                       | US-4,315,245                             | 02-09-1982                     | Nakahara et al.                                    |   |
|          | DH                       | US-4,435,822                             | 03-06-1984                     | Spencer et al.                                     |   |
|          | DI                       | US-4,445,118                             | 04-24-1984                     | Taylor et al.                                      |   |
|          | DJ                       | US-4,488,678                             | 12-18-1984                     | Hara et al.  |   |
|          | DK                       | US-4,488,679                             | 12-18-1984                     | Bockholt et al.                                    |   |
|          | DL                       | US-4,538,060                             | 08-27-1985                     | Sakai et al.                                       |   |
|          | DM                       | US-4,542,528                             | 09-17-1985                     | Sanner et al.                                      |   |
|          | DO                       | US-4,561,089                             | 12-24-1985                     | Rouse et al.                                       |   |
|          | DP                       | US-4,610,359                             | 09-09-1986                     | Muller   |   |
|          | DQ                       | US-4,628,532                             | 12-09-1986                     | Stone et al.                                       |   |
|          | DR                       | US-4,636,624                             | 01-13-1987                     | Ishida et al.                                      |   |
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|          | ED                       | US-4,818,856                             | 04-04-1989                     | Matsushima et al.                                  |   |
|          | EE                       | US-4,841,544                             | 06-20-1989                     | Nuytkens   |   |

| 4 |                       |                    |  |
|---|-----------------------|--------------------|--|
|   | Examiner<br>Signature | Date<br>Considered |  |

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| Application Number     | 09/746,192              |  |  |
| Filing Date            | December 21, 2000       |  |  |
| First Named Inventor   | James A. Parker, et al. |  |  |
| Art Unit               | 2876                    |  |  |
| Examiner Name          | Thien Minh Le           |  |  |
| Attorney Docket Number | 283-205.03CON           |  |  |

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<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO Complete if Known **Application Number** 09/746,192 INFORMATION DISCLOSURE Filing Date December 21, 2000 STATEMENT BY APPLICANT **First Named Inventor** James A. Parker, et al. Express Mail No.: EV561775241US Art Unit 2876 (use as many sheets as necessary) **Examiner Name** Thien Minh Le Sheet

Attorney Docket Number

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|-----------|---------------------------------|--------|------------|------------------------|-------------------------|--|
| INIEC     | ADMATION                        | DIG    | CLOSURE    | Application Number     | 09/746,192              |  |
|           |                                 |        |            | Filing Date            | December 21, 2000       |  |
|           | STATEMENT BY APPLICANT          |        |            | First Named Inventor   | James A. Parker, et al. |  |
| Expres    | Express Mail No.: EV561775241US |        | 108        | Art Unit               | 2876                    |  |
|           | (use as many she                | ets as | necessary) | Examiner Name          | Thien Minh Le           |  |
| Sheet     | 4                               | of     | 5          | Attorney Docket Number | 283-205 03CON           |  |

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|----------|--------------------------|--|--------------------------------|--|---|
|          |                          | Document Number                          |                                |  |   |
| Examiner | Cite<br>No. <sup>1</sup> | Number Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
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| Initials*             |                          | Country Code <sup>3</sup> | Number⁴           | Kind Code <sup>s</sup> (if known) | Publication Date<br>MM-DD-YYYY | Applicant of Cited<br>Document | Where Relevant Passages or Relevant Figures Appear | T <sup>8</sup> |
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| First Named Inventor   | James A. Parker, et al. |  |  |  |  |
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| Examiner Name          | Thien Minh Le           |  |  |  |  |
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| Application Number     | 09/746,192              |  |
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| First Named Inventor   | James A. Parker, et al. |  |
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| arker, et al. | First Named Inventor   |  |  |  |
|               | Art Unit               |  |  |  |
| Le            | Examiner Name          |  |  |  |
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|                       | JX                       | US-5,430,283                             | 07-04-1995                     | Tanaka   |   |  |
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Substitute for form 1449A/PTO Complete if Known **Application Number** 09/746,192 INFORMATION DISCLOSURE **Filing Date** December 21, 2000 STATEMENT BY APPLICANT First Named Inventor James A. Parker, et al.

Art Unit

Express Mail No.: EV561775241US

|       | (use as many she | ets as | necessary) | Examiner Name          | Thien Minh Le |
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| Sheet | 2                | of     | 3          | Attorney Docket Number | 283-205.03CON |

|               |              |   | U.S. PATENT D                  | U.S. PATENT DOCUMENTS                              |   |  |  |
|---------------|--------------|---|--------------------------------|--|---|--|--|
| Examiner      | Cite<br>No.1 | Document Number  Number Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |  |  |
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|   |            |                    |          | PPLICANT   | First Named Inventor   | James A. Parker, et al. |
|   | Express    | Mail No.: EV5      | 01//524  | 105        | Art Unit               | 2876                    |
|   |            | (use as many s     | heets as | necessary) | Examiner Name          | Thien Minh Le           |
| S | heet       | 3                  | of       | 3          | Attorney Docket Number | 283-205.03CON           |

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| Examiner  | Cite | For                       | eign Patent Docum  | ent                               |                                | Name of Patentee or          | Pages, Columns, Lines,                                   | 1              |
| Initials* | No.1 | Country Code <sup>3</sup> | Number⁴  | Kind Code <sup>6</sup> (if known) | Publication Date<br>MM-DD-YYYY | Applicant of Cited  Document | Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|           | LN   | JP                        | 07-049922 Ful<br>reference with<br>English Transl                                | Full                              | 02-21-1995                     |                              |  |                |
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eduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number Substitute for form 1449B/PTO Complete if Known **Application Number** 09/746,192 INFORMATION DISCLOSURE Filing Date December 21, 2000 STATEMENT BY APPLICANT **First Named Inventor** James A. Parker, et al. Express Mail No.: EV561775241US Art Unit (use as many sheets as necessary) **Examiner Name** Thien Minh Le Sheet of Attorney Docket Number

|                        | 1            | OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS   |   |
|------------------------|--------------|---|---|
| Examiner<br>Initials * | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Т |
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| JUN  | 2 0 2005 esp pursuant to the Consolidated Appropriations Act. 2005 (H.R. 4818).                                |   |                          |             | Application Number 09/746,192          |  |                        |                  |                    |                |                        |  |  |  |  |
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| ŀ  |  | OTAL AMOUNT OF PAYMENT \$180.00   |                          |             |  | Attorney Docket No. 283-205.03CON  |                        |                  |                    | 1              |                        |  |  |  |  |
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| I  | For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)         |   |                          |             |  |  |                        |                  |                    |                |                        |  |  |  |  |
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| ŀ  | FEE CALCULATION  | <u></u>   |                          |             |  |  |                        |                  |                    |                |                        |  |  |  |  |
| ŀ  | 1. BASIC FILING, SEAR  |   |                          |             |  |  |                        |                  |                    |                |                        |  |  |  |  |
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| ŀ  | Utility  | 300   | 150                      | Fee (\$)    |  |  | <u>Fee (\$)</u><br>100 |                  |                    | Fees Paid (\$) |                        |  |  |  |  |
| ŀ  | Design   |   |                          | 100         | 50                                     | 200  |                        |                  |                    |                |                        |  |  |  |  |
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|  | 2. EXCESS CLAIM FEES   |   |                          |             |  |  |                        |                  |                    |                | <u>Small</u><br>Entity |  |  |  |  |
| L  | Fee Description  |   |                          |             |  |  |                        |                  | Fee (              | <u>\$)</u>     | Fee (\$)               |  |  |  |  |
| L  | Each claim over 20 or, for R   | eissues, each cl  | aim over 20 an           | d more th   | an in the original                     | patent   |                        |                  | 50                 |                | 25                     |  |  |  |  |
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| ŀ  |  | Aultiple dependent claims   |                          | T           |  |  |                        |                  | 360                |                | 180                    |  |  |  |  |
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| L  | 3. APPLICATION SIZE F  | EE  |                          |             | •                                      |  |                        |                  |                    |                |                        |  |  |  |  |
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| 4. OTHER FEES <u>Fees Paid</u>   |  |   |                          |             |  |  |                        |                  |                    |                |                        |  |  |  |  |
| Non-English Specification, \$130 fee (no small entity discount)  |  |   |                          |             |  |  |                        |                  |                    |                |                        |  |  |  |  |
| Other: Information Disclosure Statement Fee \$180.00   |  |   |                          |             |  |  |                        |                  |                    |                |                        |  |  |  |  |
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| _  |  |   |                          |             | <del></del>                            | Signature  Registration No. 37,283 Telephone 315-425-9000 (Attorney/Agent) |                        |                  |                    |                |                        |  |  |  |  |
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intended to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 09/746,192 0 2005 **TRANSMITTAL** Filing Date December 21, 2000 **FORM First Named Inventor** James A. Parker, et al. to be used for all correspondence after initial filing) **Group Art Unit** 2876 **Examiner Name** Le, Thien Minh

| Total Number of Page  | s in This Submission   | 20                  | Attorne                           | ey Docket Number   | 283-205.03CON  |  |  |  |  |  |  |  |
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| ☐ Fee Attached  | Licensi  | ng-relate           | d Papers                          | Appeal Communication to Board of Appeals and Interferences   |  |  |  |  |  |  |  |  |
| Amendment / Rep   | Petition   | 1                   |                                   | Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  |  |  |  |  |  |  |  |  |
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|   |  |                     |                                   |  | One copy of cited references LW-LX, and return mail room postcard. |  |  |  |  |  |  |  |
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| Firm<br>and   | Wall Marjama & Bilin   | nski LLP            |                                   |  |  |  |  |  |  |  |  |  |
| Individual name   | George S. Blasiak  |                     | -                                 | . 37,283   |  |  |  |  |  |  |  |  |
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| Date June 20, 2005  |  |                     |                                   |  |  |  |  |  |  |  |  |  |
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